

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

September 17, 2009

DIVISION ONE

B211836 Cox
 v.
 Webb et al.

Filed order denying petition for rehearing.

DIVISION TWO

B206441 Gull Wing International Motors, Ltd. (Not for Publication)
 v.
 Anton Ostermeier, et al.

We reserve the trial court's order awarding Gullwing attorney fees incurred by Rosenstock and DeCastro. In all other respects, the judgment is affirmed. Parties to bear their own costs on appeal.

Ashmann-Gerst, J.

We concur: Doi Todd, Acting P.J.
 Chavez, J.

B212496 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 O.M.

The judgment is affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

DIVISION THREE

B209519 Kapilow & Sons, Inc., et al. (Not for Publication)
 v.
 Shaw, et al.

The judgment is affirmed. The respondents are entitled to recover their costs on appeal.

Croskey, J.

We concur: Klein, P.J.
 Kitching, J.

B213637 Las Lomas Land Company, LLC (Certified for Publication)
 v.
 City of Los Angeles

The judgment is affirmed. The city is entitled to recover its costs on appeal.

Croskey, J.

We concur: Klein, P.J.
 Kitching, J.

B205068 People (Not for Publication)
 v.
 Khosro Dowlatsahi

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
 Croskey J.

DIVISION THREE (continued)

B207810 People (Not for Publication)
v.
Andre Lamar Lonnie

The judgment is modified by modifying appellant's sentence to reflect that (1) counts 1 and 2 pertained to victims Garabet Kurbessoian and Nagwa Kamel, respectively; as to count 1 (Kurbessoian), the court sentenced appellant to prison for attempted murder for the upper term of nine years plus, pursuant to Penal Code section 12022.53, subdivision (c), a term of 20 years; and as to count 2 (Kamel), the court sentenced appellant to prison for attempted willful, deliberate, and premeditated murder for life with the possibility of parole plus, pursuant to Penal Code section 12022.53, subdivision (c), a term of 20 years; (2) as to each of counts 3 and 4, appellant is sentenced to prison for a consecutive subordinate term of six years eight months; (3) execution of sentence on count 10 (assault with a deadly weapon) is stayed pending completion of appellant's sentence on his remaining convictions, such stay then to become permanent; and (4) as to count 12, appellant is sentenced to prison for a consecutive subordinate term of one year, and, as so modified, the judgment is affirmed. The trial court is directed (1) to amend its April 8, 2008 sentencing minute order to reflect that the trial court granted appellant's motion for a new trial as to count 1 (Kurbessoian) to the extent the trial court set aside the premeditation and deliberation finding pertaining to count 1, but denied the motion as to count 2 (Kamel), and (2) to forward to the Department of correction an amended abstract of judgment reflecting the above modifications to the judgment and reflecting that appellant's offense as to count 12 is custodial possession of a weapon.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

September 17, 2009 (Continued)

DIVISION THREE (continued)

B207523 People (Not for Publication)
v.
Jose Rojas Bracamonte

The judgment is modified by striking the trial court's order, "Do not own, use, threaten to use, prossess, buy or sell any deadly or dangerous weapons, including, but not limited to, firearms or other concealable weapons" and, as modified, the judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION FIVE

B209303 People (Not for Publication)
v.
Luis Armando Delgado

The judgment is affirmed.

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

B214349 People (Not for Publication)
v.
Kenneth W. Penn

The order is affirmed.

Turner, P.J.

We concur: Armstrong, J.
 Kriegler, J.

DIVISION FIVE (continued)

B213185 Saul Villegas (Not for Publication)
 v.
 Harsco Corporation etc.

The order denying prejudgment interest pursuant to Civil Code section 3287 is reversed. Upon remittitur issuance, the trial court is to forthwith issue an order granting the motion for prejudgment interest effective January 13, 2006. The judgment is affirmed in all other respects. Plaintiff, Saul Villegas, is awarded his costs on appeal from defendant, Harsco Corporation.

Turner, P.J.

We concur: Mosk, J.
 Kriegler, J.

B214119 United Teachers Los Angeles (Certified for Publication)
 v.
 Los Angeles Unified School District

The order denying the petition to compel arbitration is reversed. Plaintiff, United Teachers Los Angeles, shall recover its costs incurred on appeal from defendant, Los Angeles Unified School District.

Turner, P.J.

We concur: Armstrong, J.
 Kriegler, J.

DIVISION SIX

B209520 People (Not for Publication)
v.
T.P.

The judgment is reversed and the matter remanded for further proceedings.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

B209505 People (Not for Publication)
v.
Jose J. Acevedo

The parole revocation fine is stricken. The case is remanded for a determination whether appellant is entitled to presentence credits and, if so, for calculation of those credits under the law as it existed in 1985. After redetermination of presentence credits, the clerk of the superior court is directed to prepare an amended abstract of judgment and to forward a certified copy to the Department of Corrections and Rehabilitation. The judgment is otherwise affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

B207130 Sprague (Not for Publication)
v.
Chicago Title Company

The judgment is affirmed. Costs to respondent.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

September 17, 2009 (Continued)

DIVISION SIX (continued)

B211482 Mendelson (Not for Publication)
v.
Mendelson

The judgment (order) is affirmed. Parties are to bear their own costs.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

[illegible]

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

DIVISION EIGHT

B208335 The Vons companies, Inc.,
v.
Lyle Parks, Jr., Inc.,

Filed order certifying opinion for publication.